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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/684,898      | 10/10/2000  | Yosuke Shirata       | 980511B             | 2212             |

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02/18/2003

ARMSTRONG, WESTERMAN, HATTORI  
McLELAND & NAUGHTON  
Suite 1000  
1725 K Street, N. W.  
Washington, DC 20006

EXAMINER

NGUYEN, HUNG

ART UNIT

PAPER NUMBER

2851

DATE MAILED: 02/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/684,898

Examiner

Hung Henry V Nguyen

Applicant(s)

SHIRATA, YOSUKE

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Response filed 12/16/02.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8,10-15,17 and 19-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8,10-15,17 and 19-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☒ Certified copies of the priority documents have been received in Application No. 09/055,954.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other:  |

### DETAILED ACTION

1. This office action is NON-FINAL since the Examiner has changed the art and advanced new arguments.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 5-6, 10-11, 20-21, 27 are rejected under 35 U.S.C. 102(e) as being unpatentable over Hasegawa et al (U.S. Pat. 5,871,587).

With respect to claims 5-6, 10-11, 20-21 and 27, Hasegawa discloses an processing system having: an exposure device (121-124) for projecting a pattern formed on a reticle onto a substrate; a first chamber (101) for containing the exposure apparatus; a substrate processing apparatus (131, 132) provided adjacent to the exposure apparatus; a second chamber (130) provided adjacent to the first chamber separately from the first chamber and which encloses the substrate processing apparatus; a purity sensor (110) for detecting the data regarding the purity of

gas discharged from second chamber (130) and based on the detection, the capacity of gas purification to be supplied into the first chamber is controlled via a controller and adjustment device (106, 111, 112).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4, 7-8, 12-15, 17, 22-26, 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hasegawa et al (U.S.Pat. 5,871,587).

With respect to claims 1-4, 7-8, 12-15, 17, 22-26, 28-29, Hasegawa discloses an processing system/method comprising substantially of the instant claims as discussed. In general, Hasegawa teaches two different apparatuses, e.g., a substrate processing apparatus and an exposure apparatus in a substrate processing system, which are located adjacent to each other for consecutive processing operations. In particular, Hasegawa teaches a concept of adjusting the parameters (for instance, the capacity of gas purification) of the exposure apparatus based on the data collected from the substrate processing apparatus. Hasagawa does not expressly disclose obtaining the data regarding the environment (such as air pressure, temperature, or humidity) in an exposure chamber in which the exposure apparatus is placed, and controlling the environment in the substrate processing chamber based on the basis of the obtained data. But, as discussed, Hasegawa discloses a concept of controlling a parameter in an apparatus A, in accordance with the information/data detected in the other apparatus B, wherein apparatus A and

B are different. In view of such teachings, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Hasegawa to come up with the invention as claimed. It would have been obvious to a skilled artisan to adjust the environmental condition (such as temperature, humidity or pressure) of the substrate processing apparatus/or exposure apparatus to a predetermined desired manner based on the obtaining data (such as temperature, humidity or pressure) in the exposure apparatus/or substrate processing apparatus. The motivation of doing so would have been to improve the accuracy and quality of the substrate processing system.

***Response to Amendment***

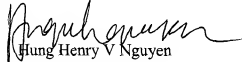
6. Applicant's amendments filed September 19, 2002 have been entered. The Examiner wish to thank the Attorney for applicant: Mr. Sadao Kinashi for his time in discussing the rejection under 35 U.S.C. 103(a) in section 4 of the Office Action mailed March 19, 2002, via the telephone conversation held on February 12, 2002. In this rejection, the Examiner has inadvertently indicated that the U.S. Patent to Hasegawa is 5,871,587. The Attorney agreed that his arguments filed September 19, 2002, on page 9, lines 3-21 was to response to the rejection made under 35 U.S.C. 103(a) over U.S. Pat. **5,828,572** to Hasegawa et al in view of U.S. Pat. 5,243,377 to Umatate.

Turning now to prior art rejection, applicant's arguments and amendments have been carefully considered but have been traversed in view of new ground of rejections as set forth above.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Henry V Nguyen whose telephone number is 703-305-6462. The examiner can normally be reached on Monday-Friday (First Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on 703-308-2847.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4900.

  
Hung Henry V Nguyen  
Primary Examiner  
Art Unit 2851

hvn  
February 12, 2003